

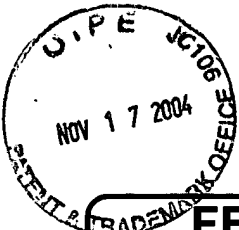
2611

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/515,152
		Filing Date	February 29, 2000
		First Named Inventor	Tsutomu Shimomura
		Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission	17	Attorney Docket Number	4259P057D1

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input checked="" type="checkbox"/> PTO/SB/08  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">Return Postcard</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thomas C. Webster, Reg. No. 46,154 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	11/12/04

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Janece Shannon		
Signature		Date	11-12-2004 November 12, 2004



# FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 0.00

## Complete if Known

Application Number 09/515,152  
Filing Date February 29, 2000  
First Named Inventor Tsutomu Shimomura  
Examiner Name Unassigned  
Art Unit Unassigned  
Attorney Docket No. 4259P057D1

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account

Deposit Account Number 02-2666  
Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

### 2. EXTRA CLAIM FEES

Total Claims  20\*\* =  X  =   
Independent Claims  3 =  X  =   
Multiple Dependent  =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple Dependent claim, if not paid	
1204	88	2204	44	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	

\*\*or number previously paid, if greater, For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1404	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)				Submission of Information Disclosure Stmt prior to First Office Action	0.00

\*Reduced by Basic Filing Fee Paid

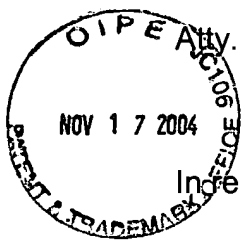
SUBTOTAL (3) (\$) 0.00

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type) Thomas C. Webster Registration No. (Attorney/Agent) 46,154 Telephone (408) 720-8300  
Signature [Signature] Date 11/12/04

11/12/04 TC



Atty. Docket No. 04259.P057D1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shimomura, et al.

Application No. 09/515,152

Filed: February 29, 2000

For: METHODS OF OPERATING A  
DATA BROADCAST SERVICE

Examiner: Unassigned

Art Unit: 2611

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant hereby requests consideration of the enclosed Information Disclosure Statement pursuant to 37 C.F.R §1.97(b). Attached are the PTO Forms 1449 and Forms 892 from the parent application filed on April 16, 1999 (Serial No. 09/293,594) The previous application is relied upon for an earlier filing date under 35 U.S.C. §120.

Pursuant to C.F.R. §1.98(d), copies of the references are not being provided herewith since they were previously sent to the Patent and Trademark Office. Please consider these cited documents in the currently pending §1.53(b) divisional application filed on February 29, 2000.

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Name of Person Mailing Correspondence

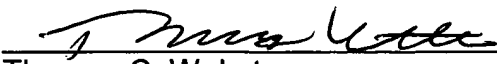
Janeee Shannon 11-12-2004  
Signature Date

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 11/12, 2004

  
Thomas C. Webster  
Reg. No. 46,154

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300

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Substitute for form 1449A/PTO (Modified by BSTZ 6/30/99)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/293,594
				Filing Date	4/16/99
				First Named Inventor	Shimomura
				Group Art Unit	2711
				Examiner Name	K. Bui
Sheet 1 of 7	Attorney Docket Number GEOC.P0003				


U.S. PATENT DOCUMENTS					
Examiner Initials *		U.S.Patent Document	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
		Number			
		5,671,377	Bleidt, et al.	9/23/1997	7/19/1994
		5,828,839	Moncreiff; Craig T	10/27/1998	11/14/1996
		5,959,508	Aitken; Mark	9/28/1999	8/1/1997
		5,857,181	Augenbraun, et al.	1/5/1999	7/25/1997
		5,797,001	Augenbraun, et al.	8/18/1998	9/26/1996
		5,617,565	Augenbraun, et al.	4/1/1997	11/29/1994
		5,585,858	Harper, et al.	12/17/1996	8/12/1994
		5,953,012	Veghte , et al.	9/14/1999	12/13/1994
		5,867,657	Bolosky , et al.	6/6/1996	2/2/1999
		5,758,258	Shoff , et al.	5/26/1998	8/21/1995

FOREIGN PATENT DOCUMENTS							
Examiner Initials *		Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation? Yes/No
		Office or Country	Number	Date			

OTHER DOCUMENTS		
Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published (if known).	Translation? Yes/No
	Cyberstar Brochure, Cyberstar L.P., October 9, 1998, 11 pages.	
	MediaStream MRX-2 PC-DVB Satellite Receiver Card Brochure, Media4, Inc., 8/1998, 2 pages.	
	MediaStream MRX-3 PC-DVB Satellite Receiver Card Brochure, Media4, Inc., 8/1998, 2 pages.	
	MediaStream IP-DVB Gateway Brochure, Media4, Inc., 5/1998, 2 pages.	
	MediaStream Network Control System Brochure, Media4, Inc., 5/1998, 2 pages.	

Examiner Signature	Date Considered
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INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

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## Complete if Known

Application Number	09/293,594
Filing Date	4/16/99
First Named Inventor	Shimomura
Group Art Unit	2711
Examiner Name	K. Bui
Attorney Docket Number	GEOC.P0003

Sheet 2 of 7

## U.S. PATENT DOCUMENTS

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
		Number			
		5,874,985	Matthews, III; Joseph H.	2/23/1999	11/12/1997
		5,748,789	Lee, et al.	5/5/1998	10/31/1996
		5,731,841	Rosenbaum, et al.	3/24/1998	5/25/1994
		5,572,247	Montgomery, et al.	11/5/1996	4/8/1994
		5,918,002	Klemets, et al.	6/29/1999	3/14/1997
		5,247,575	Sprague, et al.	9/21/1993	4/24/1992
		5,632,007	Freeman; Michael J	5/20/1997	9/23/1994
		5,724,091	Freeman, et al.	3/3/1998	5/18/1995
		5,861,881	Freeman, et al.	1/19/1999	2/8/1996
		5,691,986	Pearlstein	11/25/1997	6/7/1995

## FOREIGN PATENT DOCUMENTS

Examiner Initials *	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation? Yes/No
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## OTHER DOCUMENTS

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	MediaStream Broadcast Server Brochure, Media4, Inc., 5/1998, 2 pages.	

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Application Number	09/293,594
Filing Date	4/16/99
First Named Inventor	Shimomura
Group Art Unit	2711
Examiner Name	K. Bui
Attorney Docket Number	GEOC.P0003

Sheet 3 of 7

## U.S. PATENT DOCUMENTS

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
		Number			
		5,615,264	Kazmierczak, et al.	3/25/1997	6/8/1995
		5,615,338	Poole, et al.	3/25/1997	5/24/1995
		5,900,905	Shoff, et al.	5/4/1999	6/5/1996
		5,761,606	Wolzien	6/2/1998	2/8/1996
		5,913,038	Griffiths	6/15/999	12/13/1996
		5,825,927	Boyce, et al.	10/20/1998	1/16/1996
		5,764,762	Kazmierczak, et al.	6/9/1998	10/28/1996
		5,923,328	Griesmer	7/13/1999	8/7/1996
		5,945,987	Dunn	8/31/1999	5/5/1995
		5,896,414	Meyer, et al.	4/20/1999	9/17/1996

## FOREIGN PATENT DOCUMENTS

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Application Number	09/293,594
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Examiner Name	K. Bui
Attorney Docket Number	GEOC.P0003

Sheet 4 of 7

## U.S. PATENT DOCUMENTS

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
	Number				
	5,745,185		Portron, et al.	4/28/1998	2/12/1996
	5,724,091		Freeman, et al.	3/3/1998	5/18/1995
	5,327,237		Gerdes, et al.	7/5/1994	6/14/1991
	5,739,866		Kim, et al.	4/14/1998	11/25/1996
	5,907,323		Lawler, et al.	5/25/1999	11/13/1997
	5,861,906		Dunn, et al.	1/19/1999	5/25/1995
	5,903,563		Rashid, et al.	5/11/1999	8/15/1996
	5,983,005		Monteiro, et al.	11/9/1999	7/6/1998
	5,778,187		Monteiro, et al.	7/7/1998	5/9/1996
	5,903,673		Wang, et al.	5/11/1999	3/14/1997

## FOREIGN PATENT DOCUMENTS

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Examiner Signature	Date Considered
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Application Number	09/293,594
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First Named Inventor	Shimomura
Group Art Unit	2711
Examiner Name	K. Bui
Attorney Docket Number	GEOC.P0003

Sheet 5 of 7

**U.S. PATENT DOCUMENTS**

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
	Number				
	5,708,476		Myhrvold, et al.	1/13/1998	7/22/1996
	5,805,763		Lawler, et al.	9/8/1998	5/5/1995
	5,815,145		Matthews, III	9/29/1998	8/21/1995
	5,559,559		Jungo, et al.	9/24/1996	6/15/1993
	5,617,148		Montgomery	4/1/1997	3/31/1995
	5,742,357		Griesbaum	4/21/1998	4/12/1996
	5,410,360		Montgomery	5/25/1995	6/14/1993
	5,557,333		Jungo, et al.	9/17/1996	2/23/1994
	5,831,679		Montgomery, et al.	11/3/1998	10/28/1996
	5,774,172		Kapell, et al.	6/30/1998	2/12/1996

**FOREIGN PATENT DOCUMENTS**

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**OTHER DOCUMENTS**

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Substitute for form 1449A/PTO (Modified by BSTZ 6/30/99)  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			<b>Application Number</b>	09/293,594	
			<b>Filing Date</b>	4/16/99	
			<b>First Named Inventor</b>	Shimomura	
			<b>Group Art Unit</b>	2711	
			<b>Examiner Name</b>	K. Bui	
			<b>Attorney Docket Number</b>	GEOC.P0003	
<b>Sheet</b>	6	<b>of</b>	7		

U.S. PATENT DOCUMENTS				
Examiner Initials *	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
	5,781,228	Sposato	7/14/1998	9/7/1995
	5,815,195	Tam	9/29/1998	5/6/1996
	5,387,941	Montgomery, et al.	2/7/1995	9/18/1992
	5,437,714	Engel, et al.	10/10/1995	10/13/1992
	5,184,218	Gerdes	2/2/1993	7/3/1991
	5,671,283	Michener, et al.	9/23/1997	6/8/1995
	5,351,293	Michener, et al.	9/27/1994	2/23/1993
	5,200,715	Gerdes, et al.	4/6/1993	9/6/1991
	5,029,003	Jonnalagadda	7/2/1991	
	4,958,230	Jonnalagadda, et al.	9/18/1990	8/11/1989

FOREIGN PATENT DOCUMENTS						
Examiner Initials *	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation? Yes/No
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<b>Examiner Signature</b>	<b>Date Considered</b>
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STATEMENT BY APPLICANT**

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Complete if Known

Application Number 09/293,594

Filing Date 4/16/99

First Named Inventor Shimomura

Group Art Unit 2711

Examiner Name K. Bui

Sheet 7 of 7 Attorney Docket Number GEOC.P0003

**U.S. PATENT DOCUMENTS**

Examiner Initials *	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
	5,790,198	Roop, et al.	8/4/1998	5/4/1994
	5,684,525	Klosterman	11/4/1997	3/28/1996
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**FOREIGN PATENT DOCUMENTS**

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**OTHER DOCUMENTS**

Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published (if known).	Translation? Yes/No

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Application Number	09/293,594
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First Named Inventor	Shimomura
Group Art Unit	2711
Examiner Name	K. Bui
Attorney Docket Number	GEOC.P0003

Sheet 1 of 1

## **U.S. PATENT DOCUMENTS**

Examiner Initials *	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Filing Date if Appropriate
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## **FOREIGN PATENT DOCUMENTS**

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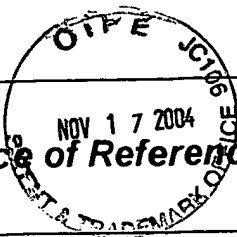
## **OTHER DOCUMENTS**

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	Broadband Technolgy Choices Brochure, 3/24/98, 7 pages, Cyberstar, A Loral Company.	
	Why satellite-based high-speed communications sense, 3/24/98, 4 pages, Cyberstar, A Loral Co.	

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Signature

Date  
Considered

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# Notice of References Cited

Application No.  
09/293,594

Applicant(s)  
Shimomura et al.

Examiner  
"Krista" Kieu-Oanh Bui

Group Art Unit  
2711

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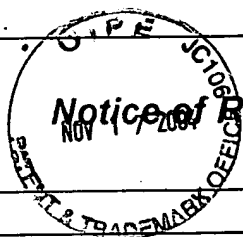
	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	6,021,419	2/2000	Clarke, Jr. et al.	708	300
B	5,987,518	11/1999	Gotwald	709	230
C	5,636,211	6/1997	Newlin et al.	370	465
D	5,708,960	6/1998	Kamisaka et al.	455	3.2
E	5,737,107	4/1998	Umeda	359	146
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G	5,701,580	12/1997	Yamane et al.	455	3.1
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S						
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## NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
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V		
W		
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2711

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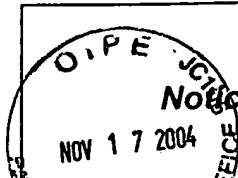
	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	5,793,413	08/1998	Hylton et al.	348	12
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	<b>Notice of References Cited</b>		Application/Control No. 09/293,594	Applicant(s)/Patent Under Reexamination SHIMOMURA ET AL.	
			Examiner KIEU-OANH T BUI	Art Unit 2611	Page 1 of 1

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*	B	US-6,064,796	05-2000	Nakamura et al.	386
*	C	US-6,408,128B1	06-2002	Abecassis	386
	D	US-			
	E	US-			
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	J	US-			
	K	US-			
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	S					
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